



"The mission of Maricopa County is to provide regional leadership and fiscally responsible, necessary public services to its residents so they can enjoy living in healthy and safe communities"

**Board Members**

Andrew Kunasek, District 3, Chairman  
Max Wilson, District 4, Vice Chairman  
Fulton Brock, District 1  
Don Stapley, District 2  
Mary Rose Wilcox, District 5

**County Manager**

David Smith

**Clerk of the Board**

Fran McCarroll

**Meeting Location**

Supervisors' Auditorium  
205 W. Jefferson  
Phoenix, AZ 85003

# FORMAL MEETING MINUTES

## BOARD OF SUPERVISORS Maricopa County, Arizona

(and the Boards of Directors of the Flood Control District, Library District,  
Stadium District, Improvement Districts and/or Board of Deposit)

**Wednesday, October 15, 2008  
9:00 AM**

### FLOOD CONTROL DISTRICT AGENDA

The Board of Directors of the Flood Control District convened in Formal Session at 9:00 AM on Wednesday, October 15, 2008, in the Supervisors Auditorium with the following members present: Andrew Kunasek, Chairman, District 3; Fulton Brock, District 1; Don Stapley, District 2; Max Wilson, District 4; Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; Victoria Mangiapane, Deputy County Attorney.

**F-1. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS**

Approve easements and right-of-way acquisition documents, appraisal and relocation assistance services contracts under \$5,000 per Resolution FCD 87-12; Escrow Instructions per Resolution FCD 87-13; Payment of Tax Notices per Resolution FCD 97-07; License Procedures and Fee Schedules per Resolution FCD2002R002; and disposal of easements, excess real property and fixtures under \$250,000 documents per FCD 1999R016 for Flood Control purposes. The list is on file in the Clerk of the Board's Office. (C-06-09-151-7-00)

Motion to approve by: Director Brock, Seconded by: Director Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**F-2. MINUTES**

Pursuant to A.R.S. §§38-431.01 and 11-217, approve the minutes of the Board of Directors' meetings held May 19, 2008 and June 19, 2008. (C-06-09-145-7-00)

Motion to approve by: Director Brock, Seconded by: Director Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**F-3. SHEA HOMES DECLARATION OF DE-ANNEXATION FROM COVENANTS, CONDITIONS AND RESTRICTIONS**

Approve a Declaration of De-Annexation of Flood Control District of Maricopa County (District) owned property from Arroyo Mountain Estates', Declaration of Covenants, Conditions and Restrictions (CC&R's).

The District purchased 28 parcels (25 residential lots and 3 common area parcels) from Shea Homes Limited Partnership for the construction of the White Tanks #3 Outlet Channel. The Arroyo Mountain Estates is the Homeowner's Association for Jackrabbit Estates and the controlling interest is held by Shea Homes Limited Partnership. These lots are located at the northeast corner of Jackrabbit Trail and Camelback Road within the Jackrabbit Estates subdivision (MCR 794-03). They were acquired by the District on July 2, 2008 (County Recorder #20080586672. The lots being de-annexed from the CC&R's are lots 1, 2 54, 55, 56, 57, 58, 59, 60, 61, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 363, 364, and portions of tracts A, M and O. Shea Homes Limited Partnership, is now required to De-Annex these parcels from their CC&R's to indicate that these lots are no longer part of the subdivision. This item impacts Supervisory District 4. (C-69-09-013-8-00)

Motion to approve by: Director Brock, Seconded by: Director Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**F-4. IGA WITH THE UNITED STATES GEOLOGICAL SURVEY FOR WATER RESOURCE INVESTIGATION**

Approve Intergovernmental Agreement (IGA) FCD 2008A012, between the Flood Control District of Maricopa County (District) and the United States Geological Survey (USGS), covering the period October 1, 2008 to September 30, 2009, to continue collecting data on local watersheds. This has been an ongoing joint agreement for more than 20 years. The total cost of the IGA is \$272,600. This amount represents a 2% cost increase from IGA FCD 2007A010. The District costs under this agreement will be \$136,300, with the USGS contributing the remaining \$136,300. Payments from the District are to be made quarterly.

The Board approved IGA FCD 2007A010 on October 17, 2007 (C-69-08-017-2-00). This Agreement is a continuation of the professional relationship and cooperative activity between the District and USGS. The USGS will be responsible for completion of all work items under this IGA. The purpose is: 1) to develop and evaluate long term flood histories on watercourses in Maricopa County, and 2) to provide information critical to the determination of the risk of flooding in these watercourses. The USGS is the recognized authority for water resource data collection and analysis which provides unbiased hydrologic data necessary for the District and the engineering community to design flood control and drainage structures. (C-69-09-017-9-00)

Motion to approve by: Director Brock, Seconded by: Director Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**F-5. BID AND AWARD CONTRACT FOR BETHANY HOME OUTFALL CHANNEL PROJECT**

Authorize the Flood Control District of Maricopa County (District) to issue an Invitation for Bids for Contract FCD 2008C011, Bethany Home Outfall Channel Reach D, 67th Avenue to Indian School Road (#620), and to award the contract to the lowest responsible bidder if the bid is not more than 10% over the engineer's estimate

The District and the local municipalities developed the Maryvale Area Drainage Master Study (ADMS) to identify existing and future drainage and flooding problems and solutions. The Bethany Home Outfall Channel project was identified in the ADMS, and is being constructed in reaches. Construction of the first three reaches has been completed in the past four years. The Project was authorized by Resolutions 98-12 on November 14, 1998 (C-69-99-036-6-00) and 98-12A on October 18, 2000 (C-69-00-036-6-01). The Board approved Intergovernmental Agreements (IGAs) FCD 2000A013 on March 21, 2001 (C-69-01-054-2-00) and FCD 2002A003 on October 2, 2002 (C-69-03-019-2-00) among the District, the City of Glendale, and the City of Phoenix for cost sharing, design, rights-of-way acquisition, construction, construction management, operation and maintenance of the Project. Per the IGA, the cost of the project will be shared (50% District, 25% Glendale, 25% Phoenix). The District will be the lead agency for construction of the project. The project is located in Supervisory District 5. (C-69-09-015-5-00)

Motion to approve by: Director Brock, Seconded by: Director Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**F-6. RESOLUTION FOR GILA RIVER BANK STABILIZATION/LEVEE PROJECT**

Approve Resolution FCD 2008R011, for the Gila River Bank Stabilization/Levee Project (PROJECT), authorizing the Chief Engineer and General Manager of the Flood Control District of Maricopa County (DISTRICT) to negotiate and prepare Intergovernmental Agreements (IGAs) with the Town of Buckeye (BUCKEYE), Buckeye Water Conservation and Drainage District (BWCDD) and others, as necessary, and include funds in the DISTRICT's current and future Capital Improvement Programs for the design, acquisition of rights-of-way or easements, utilities relocation, construction, construction management, and operation and maintenance

The DISTRICT in cooperation with the City of Avondale, City of Goodyear, and BUCKEYE, completed the El Rio Watercourse Master Plan (WCMP) in 2006. The El Rio WCMP outlines a recommended alternative for managing the 17.5 miles of the Gila River from the confluence with the Agua Fria River to the State Route 85 (SR 85) bridge. The recommended alternative includes soft structural levee/bank protection, floodplain management, vegetation management, and facilitates recreational and wildlife habitat

enhancements. The PROJECT implements the portion of the levee/bank protection recommended in the El Rio WCMP from the 175th Avenue Alignment to Jackrabbit Trail. The PROJECT has the potential to provide erosion protection and 100-year flood protection for major infrastructure including canals, roads and schools, as well as several square miles of residences and farm operations. The PROJECT was requested by BUCKEYE and the BWCDD. The PROJECT was endorsed by the Flood Control Advisory Board for inclusion in the DISTRICT's Capital Improvement Program under the FY 04/05 Prioritization Procedure. This agenda item impacts Supervisory Districts 4 and 5. (C-69-09-016-6-00)

Motion to approve by: Director Brock, Seconded by: Director Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**MEETING ADJOURNED**

There being no further business to come before the Board, the meeting was adjourned.

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Andrew Kunasek, Chairman of the Board

ATTEST:

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Fran McCarroll, Clerk of the Board